

THE MONTANA CONSUMER COUNSEL

An Agency Profile Prepared by the
Legislative Fiscal Division

November, 2016



INTRODUCTION

The Montana Consumer Counsel represents statewide consumer interests regarding utility and transportation issues in hearings before the Public Service Commission, as well as the state and federal courts and administrative agencies. The Montana Consumer Counsel is part of the legislative branch and is overseen by the Legislative Consumer Committee. The Counsel is provided for by Article XIII, Section 2 of the Montana Constitution, and is governed by Title 5, Chapter 15 and Title 69, Chapters 1 and 2, MCA.

HOW SERVICES ARE PROVIDED

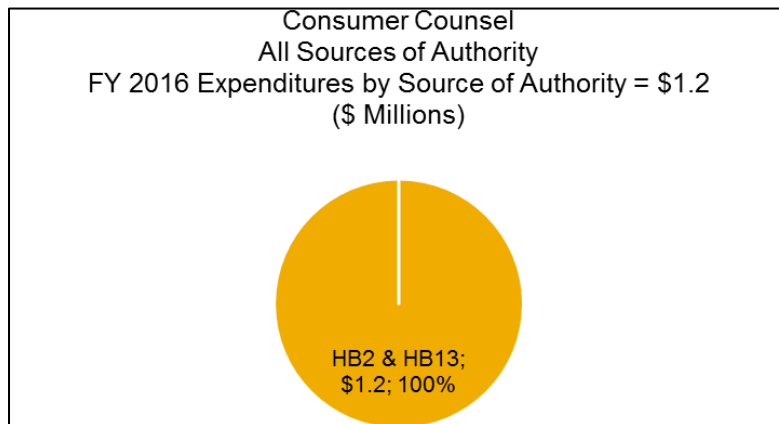
The Consumer Counsel represents Montana Consumers in:

- Utility and transportation proceedings before the Public Service Commission,
- Proceedings before the Federal Energy Regulatory Commission, Federal Communications Commission, and other federal administrative agencies, and
- Appropriate state and federal court proceedings.

The Montana Consumer Counsel provides these services through one program and the use of outside consulting services to bring expertise for regulatory issues as they arise.

SOURCES OF SPENDING AUTHORITY

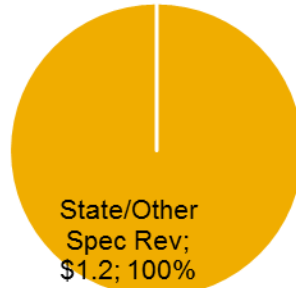
The chart below shows the sources of authority for the Consumer Counsel that were expended in FY 2016. The Counsel receives all of its spending authority from HB 2 and the pay plan.



FUNDING

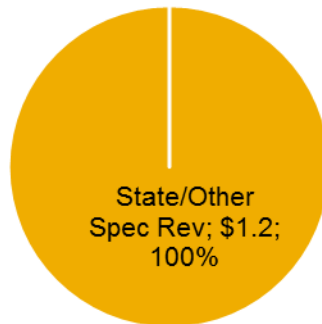
The Montana Consumer Counsel is fully funded with state special revenues collected through fees charged to various public utility and transportation companies operating in Montana. The chart below shows FY 2016 actual expenditures by fund type for all sources of authority.

Consumer Counsel
All Sources of Authority
FY 2016 Expenditures by Fund Type = \$1.2
(\$ Millions)



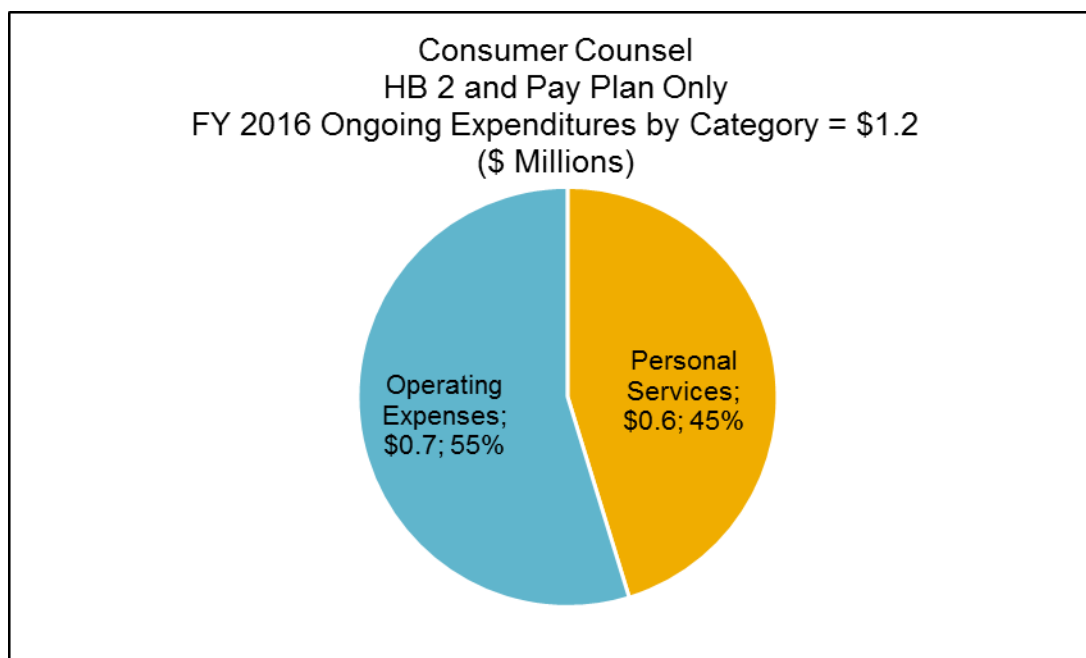
The chart below shows the Consumer Counsel's HB 2 expenditures by fund type. All of the counsel's state special revenue funding is included in HB 2.

Consumer Counsel
HB2 and Pay Plan Only
FY 2016 Ongoing Expenditures by Fund Type = \$1.2
(\$ Millions)



EXPENDITURES

The chart below explains how HB2 authority is spent.



HOW THE 2017 LEGISLATURE CAN EFFECT CHANGE

In order to change expenditure levels and/or activity, the legislature might address:

- Rates, reporting processes, and fees or taxes charged to regulated utilities
- Which agency, if any, monitors utilities (through changes to the Constitution)
- Agency participation in regional and/or national issues

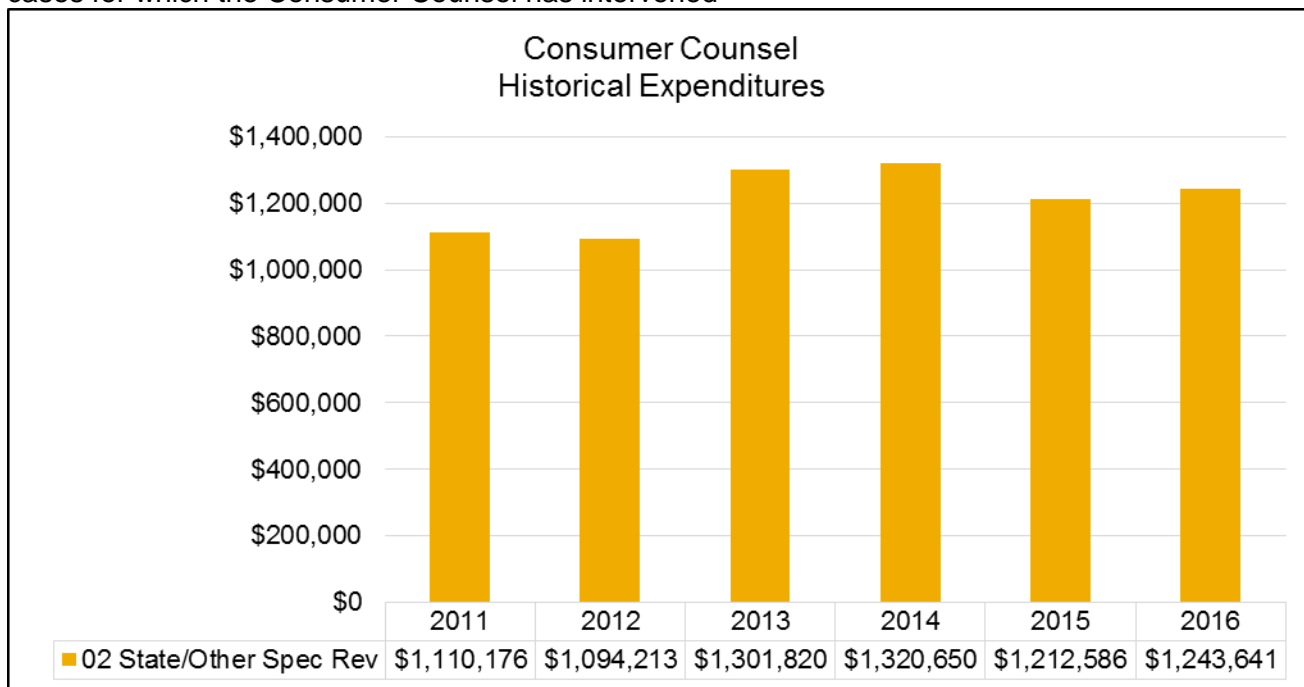
MAJOR COST DRIVERS

Element	FY 2006	FY 2016	Significance of Data
Contractor Fees	\$159	\$137	The Consumer Counsel makes use of contractors for the analysis of utility cases/issues. The fee is calculated based on the total hours worked divided by the total amount paid.
Dockets before the Montana Public Service Commission	250	175	As the number of dockets change, the number of cases that the Consumer Counsel might intervene on also changes. This data includes all dockets of the Public Service Commission, regardless of intervention. This factor influences contracting costs.

FUNDING/EXPENDITURE HISTORY

The following table shows historical changes in the agency's funding and expenditures. Major reasons for change are:

- Costs for consulting and professional services vary based on the number and complexity of the cases for which the Consumer Counsel has intervened



MAJOR LEGISLATIVE CHANGES IN THE LAST TEN YEARS

Major changes in the last ten years include:

- 2007 – The Montana Consumer Counsel was required to perform an analysis of the fiscal impacts related to permit applications for new electrical generation facilities and upgrades under the Montana Major Facility Siting Act. The analysis included an estimation of how customer rates may have been impacted. Costs of the analysis were paid by applicants.

For more information, please visit the consumer counsel website, here:

<http://leg.mt.gov/css/Committees/Administration/Consumer%20Counsel/>